IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1897 OF 2003

Shri Ramchandra Santu Chimte ...Petitioner

Versus

Smt.Nanda Ramchandra Chimte & Ors. ...Respondents

.....

Mr.Vilas Tapkir for Petitioner.

Mr.K.V.Saste, A.P.P. for Respondent No.4.

.....

CORAM: A.M.KHANWILKAR, J.

DECEMBER 13, 2004.

P.C.

1. Issue notice, returnable in the week commencing from 24th January 2005. Mr.Gadkari, A.P.P. waives notice for Respondent No.4.

2. Petitioner undertakes to serve the Respondents 1 to 3. That be done by Advocate's notice, either personally or by courier/speed post/ e-mail/fax, and file an affidavit of service on or before the returnable date.

3. Notice is issued on condition that the Petitioner shall deposit sum of Rs.7,500/- (Rupees Seven Thousand Five Hundred) in this Court, to be made over to the Respondents 1, 2 and 3, on entering appearance, towards cost of this litigation, irrespective of the outcome of the proceedings. The amount be deposited within one week from today, failing which, Petition to stand dismissed for non-prosecution, without further reference to the Court.

4. Ad-interim relief in terms of prayer clause (c) as claimed, is refused for the time being.

A.M.KHANWILKAR, J.